

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-62 are pending in the application, with 1, 19, 27, 44, and 50 being the independent claims. Claim 62 is new. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Applicants thank the Examiner for allowance of claims 1-9, 11-30, 32-58, 60, and 61.

New claim 62 is directed to a composition comprising a compound of the invention and a pharmaceutically acceptable carrier. Support for new claim 62 can be found throughout the application.

Claims 1-11, 19-21, 27-30, and 32-36 have been amended to recite "a compound" instead of "a composition." This non-narrowing amendment deals solely with form of the claim. Support for this amendment can be found throughout the specification, including the claims, as originally filed. Claims which depend from these compound claims have likewise been amended to recite "compound" instead of "composition."

Claims 1 and 27 have been further amended to remove the unnecessary proviso that the claim does not include tamandarin A. The genera of claims 1 and 27 exclude tamandarin A without the need for the proviso.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and further request that they be withdrawn.

Telephone Interview Summary

Applicants thank the Examiner for his time during the telephone interview on June 2, 2005, with the undersigned representative, Matthew J. Dowd, regarding the foregoing amendment. During the interview, the Examiner indicated that the claims as amended herein appeared to be in condition for allowance. As suggested by the Examiner, claims 10, 31, and 32 have been amended to remove the word "analog" to be consistent with the respective independent claims. Claims 5 and 6 have been amended similarly. Mr. Dowd also informed the Examiner that the Applicants would be submitting a supplemental Information Disclosure Statement, which is being filed with the present Amendment and Reply.

Rejections under 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claims 10, 31, and 59 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter of the invention. Applicants respectfully traverse.

The Examiner rejected claim 10 because it recites the limitation of "didemnin analog." Applicants thank the Examiner for pointing out this typographical error. Claim 10 has been amended to recite "tamandarin." This non-narrowing amendment deals solely with form and does not change the scope of the claim.

Claim 59 was presumably rejected because it depended from claim 10. Accordingly, the above amendment to claim 10 corrects any alleged indefiniteness of claim 59.

Claim 31 was rejected because it recited "The compound of claim 27." The Examiner noted that claim 27 recites "a composition" and is not a compound claim. As discussed above, claim 27 has been amended to recite "a compound" instead of "a composition." Claim 31 thus has antecedent support in claim 27 and is grammatically consistent with the other compound claims.

For at least the reasons and amendments detailed above, each of the rejections of claims 10, 31, and 59 under 35 U.S.C. § 112, second paragraph, have been accommodated, traversed, or rendered moot. Accordingly, Applicants respectfully request that the rejection of these claims under 35 U.S.C. § 112, second paragraph, be reconsidered and withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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